

भारत का राजपत्र **The Gazette of India**

प्रसाधारण

EXTRAORDINARY

भाग I—खण्ड I

PART I—Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF FOREIGN TRADE & SUPPLY

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 23rd August 1969

SUBJECT :—*Import of (i) 'Fruits' all sorts, excluding coconuts and cashewnuts, fresh and dried, salted or preserved n.o.s. and excluding Dates—S. No. 21(a)/IV, (ii) Asafoetida (S. No. 31/V). (iii) Cumin Seeds, and Medicinal herbs from Afghanistan during 1969-70 Trade Arrangement period.*

No. 138-ITC(PN)/69.—In pursuance of the Trade Arrangement for 1969-70 (1st August, 1969 to 31st July, 1970) between the Government of India and the Royal Afghan Government, the import of:—

- (i) Fresh and dry fruits of Afghan origin, mentioned in Schedule 'A' of this Public Notice, will be allowed to Approved Importers under C.C.P. procedure, within a "quantitative ceiling".
- (ii) Asafoetida, Cumin Seeds and Medicinal herbs of Afghan Origin, mentioned in Schedule 'A', will be allowed to Approved Importers under C.C.P. procedure, without any ceiling;
- (iii) Hides and Skins of Afghan Origin, falling under S. No. 144(a)/IV, will continue to be under Open General Licence No. LXXXVI vide Ministry of Foreign Trade and Supply Import Trade Control Order No. 1/69 dated 31-3-1969.

2. Import of commodities covered under the aforesaid items (i) and (ii) will have to be counter-balanced by exports of goods in Schedule 'B' to this Public

Notice, as indicated in paragraph 20 below. As regards the import of Hides and Skins under item (iii) above, the sale proceeds will be credited to the self-balancing account opened by the Da Afghanistan Bank with the State Bank of India. This account will be utilised by Afghanistan for the purchase of goods and services in India.

3. *Definition of Approved Importers.*—The Approved Importers are those :

- (i) who have participated in the Indo-Afghan Trade in those commodities during the four years ending 30th June, 1956 and are already registered as such; and
- (ii) The Royal Afghan Government's nominee firms registered as "Approved Importers".

4. No Customs Clearance Permit (C.C.P.) will be issued to those "Approved Importers" whose names have been de-registered.

5. *Documents to be furnished with application for C.C.Ps.*—Approved Importers should apply for C.C.Ps., in the prescribed form and manner, indicating *inter-alia* the C.I.F. value of goods, accompanied by the following documents:—

- (a) Valid Transit Certificates (five copies), together with invoices and Treasury Receipts. In the case of grapes, exporter's telegrams to the concerned importer, will be accepted. The telegram should bear the number, date, weight in Kilograms of the transit certificates as well as c.i.f. value of the goods. The relevant Transit Certificates should be produced to the Customs authorities concerned;
- (b) An undertaking on a Stamp Paper to the effect that they will export any or all commodities mentioned in Schedule 'B' to the 1969-70 Trade Arrangement to counter-balance imports in the prescribed ratio as mentioned in para 6 by 31st of July, 1970 and shall abide by the decision that the Government may take in regard to the enhancement of the percentage of exports of non-traditional items.

6. *Ratio of exports of traditional and non-traditional items in respect of counter-exports.*—Of the items detailed in Schedule B to this Public Notice, Tea, Textiles, Spices, Coal and Coal Products are treated as traditional items of exports to Afghanistan and the remaining ones as non-traditional items. It may be mentioned for the information of the trade that not less than 15 per cent of counter-exports to be made to Afghanistan by every importer in payment for imports from Afghanistan as mentioned in para 20 below, shall be by way of export to Afghanistan of non-traditional items listed in Schedule 'B' i.e., items other than tea, textiles, spices, coal and coal products. The remaining 85 per cent can be utilized for the purchase and export to Afghanistan of any items listed in Schedule 'B', including Tea, Textiles, Spices, Coal and Coal Products.

7. If the Government decides, at a later stage, to raise the percentage of exports of non-traditional items to Afghanistan the importer shall have to arrange exports of non-traditional items according to the ratio so revised.

8. *Specimen of Transit Certificate.*—The documents furnished along with the applications should be complete in all respects which will make for prompt issue of CCPs. All the five copies of the Transit Certificates should bear the Seal and Signature of the Afghan Custom authorities. A specimen of the prescribed form of the Transit Certificate issued by the Afghan Customs Authorities, is attached in Annexure I. The Transit Certificates will be in two colours,—red for fresh fruits and blue-black for dry fruits and other commodities. They will bear, *inter-alia*, the name of the exporter, the name of the importer, description of commodity and weight in Kilograms.

9. *Distinctive marks on the Transit Certificates.*—In serialising the Transit Certificates the Royal Afghan Government will allocate groups of serial numbers to different Customs Control points and would also see that no number in a series is repeated. Further there will be distinctive letters, such as 'K' (Kabul), 'Q' (Qandahar) and 'N' (Nangharhar), to denote the location of the concerned authority of the Ministry of Commerce of the Royal Afghan Government issuing the transit certificates, and also the letters 'B' (Jt. Chief Controller of Imports and

Exports, Bombay), 'D' (Jt. Chief Controller of Imports and Exports, Central Licensing Area, New Delhi), and 'A' (Controller of Imports and Exports, Amritsar), to denote not the Customs Control point in India as hitherto but the concerned licensing authority in India. In order that the Transit Certificates for grapes are not unduly delayed with the exporters, the approved importers should ensure that their corresponding exporters send a telegram to them on the very day that the Transit Certificate is actually issued, informing the former of the particulars thereof including its number, date, weight of grapes in Kilograms and value.

10. *Transit Certificates and their validity.*—The Transit Certificate will indicate the period of validity, which will be five days for fresh fruits and forty days for dry fruits, and other commodities. The validity of Transit Certificates is decided with reference to the date of actual issue and not the date of arrival of the goods at the Indian Customs borders. The goods must be cleared from the Afghan Customs Borders within the validity period of the Transit Certificate. The evidence of transit having taken place during the validity period of the Transit Certificate, should be produced to the Customs authorities, or else the goods will not be allowed clearance.

11. *Procedure for issue of CCPs.*—CCPs will be issued (in duplicate) to eligible approved importers upto the quantity, covered by valid transit certificates, issued by the Afghan Custom authorities to the following categories of approved importers :—

- (i) who have fulfilled their export obligation in full by the 31st of July, 1969 in the prescribed ratio of 85 per cent : 15 per cent, as between traditional and non-traditional item and are in a position to produce documentary evidence/or R.B.I.'s certificate in proof thereof;
- (ii) who claim to have fulfilled their export obligation in full in the prescribed ratio as indicated in item (i) above by the 31st of July, 1969, but are not in a position to produce proof thereof straightaway. An undertaking should be taken from the aforesaid parties to the effect that documentary evidence/or R.B.I.'s certificate will be produced within one month from the date of issue of CCPs, failing which action will be taken under the I.T.C., rules and regulations. This condition will be endorsed on the CCPs.
- (iii) who have fulfilled, by 31st July, 1969, their export obligation upto 75 per cent in the prescribed ratio, (i.e., exports of at least 15 per cent of 75 per cent of non-traditional items have been effected). A show cause notice should however, be issued to them to explain as to why issue of further CCP should not be withheld, in view of their failure to balance off their imports in terms of para 20 of Public Notice No. 163-ITC(PN)/68 dated 6th August, 1968. In the case of their failure to produce evidence showing fulfilment of their export obligation in full and in the prescribed ratio by 30th September, 1969, no further CCPs should be issued to them and penal action as envisaged in the I.T.C., rules and regulations will be taken against them.

No CCPs would be issued to the defaulter whose export performance falls below 75 per cent and 31st July, 1969 and imports, if any effected by them will be treated as unauthorised.

12. *Stage of reckoning of export performance against current imports.*—There will be no reckoning, at every stage, of exports made by the concerned importer for issue of CCPs. However, stock-taking in regard to fulfilment of export obligation in the prescribed ratio against the current imports will start at the end of the 8th month i.e 31st March, 1970. Each approved importer should furnish to the licens-

ing authority affidavits to the effect that his export obligation against current imports has been fulfilled as follows:—

At the end of the	Percentage of fulfilment of export obligation	Percentage of non-traditional commodities in exports effected
(i) eighth month i.e. 31-3-70	60%	7½%
(ii) Tenth month i.e. 31-5-70	80%	10%
(iii) Eleventh month i.e. 31-6-70	90%	12½%
(iv) Twelfth month i.e. 31-7-70	100%	15%

N.B.—It may be noted that if Government decides, at later stage, to raise the percentage of exports of non-traditional items to Afghanistan, the importers shall have to arrange exports of non-traditional items according to the ratio so revised.

No CCPs will be issued to the approved importers after the 31st month whose export performance is less than the percentages fixed above.

13. *Penalty for non-fulfilment of export obligation.*—As imports of goods mentioned in Schedule A to this Public Notice, excluding Hides & Skins are to be balanced by exports of goods in Schedule B in the prescribed ratio of 85 per cent: 15 per cent, as between traditional and non-traditional items, subject to changes to be effected later on, vide paragraph 7, it is obligatory for each individual importer to discharge his export obligation in full by the end of the current Trade Arrangement period i.e. by the 31st of July, 1970. Should the importer fail to complete his export obligation within the stipulated date, he is liable to be de-registered from the list of approved importers for such period as the licensing authority deems fit, without prejudice to any other action that may be taken against him under the Import & Export Control Act and rules and regulations. A condition to this effect will be imposed on each CCP.

14. *Validity of CCPs.*—The CCP will be valid for 7 days in the case of fresh fruits and 40 days in the case of other goods, from the date of issue of the relevant transit certificate/s covering the goods in question.

NOTE :—(Importers of Asafoetida and Cumin-seeds from Afghanistan are required to ensure that the products conform to the prescribed standards under the Prevention of Food Adulteration Rules).

15. *Procedure for operating CCPs and Transit Certificates.*—The CCPs will indicate, *inter-alia*, the weight, number, date of the Transit Certificate as well as the c.i.f. value of the goods. Conversely, the number and date and other particulars of CCPs should also be shown on the relevant Transit Certificates. In the case of grapes, the particulars are to be filled in from the telegram.

16. When delivering the CCP (in duplicate) to the importer for items other than fresh fruits, the appropriate licensing authority will return all the five copies of the Transit Certificates to the importer. The importer will, in his turn, present all the five copies of the Transit Certificates in all cases, alongwith the C.C.P., in duplicate, to the Customs authorities at the point of imports of the consignment in India. The Customs authorities will, while clearing the consignments, check and verify the physical correctness of the particulars of the consignment (i.e. name of exporter/importer, description of goods, weight and other particulars) as given in the CCP and the Transit Certificates. In the event of any difference, whether in name, description, or weight, as assessed by the Customs authorities, the copies of the C.C.P. and Transit Certificates will be endorsed accordingly by the Customs authority. Where there is a variation in weight mentioned in the CCP/Transit Certificate and the goods actually received, the Customs authorities will allow clearance of the same without insisting on a prior amendment in the C.C.P. by the licensing authority concerned, provided the variation does not exceed 5 per cent and advise the concerned licensing authority accordingly. This will be subject to the overall ceilings fixed for each item of fresh and dry fruits. In the event of excess being over 5 per cent in weight, mentioned in the Transit Certificate and the CCP, it will be obligatory on the part of the importers to get their CCPs amended on the basis of the revised/additional Transit Certificate. If the importer concerned fails to get his CCPs amended, action will be taken against him under the Customs/I.T.C. rules.

17. *Distribution of CCPs.*—The Custom authorities will send the Customs purposes copy of CCP to the concerned licensing authority direct and the second copy will, as at present, be handed back to the importer to be forwarded to the Reserve Bank of India, duly stamped and signed.

18. *Distribution of Transit Certificate.*—As regards the distribution of the Transit Certificates, one copy will be retained by the Customs, the second copy forwarded to the Reserve Bank of India, the third to the Royal Afghan Embassy, New Delhi and fourth to the Indian Embassy, Kabul (through the Office of the Chief Controller of Imports & Exports), and the fifth to the licensing authority concerned.

19. *Recording of the value of the goods cleared.*—The value of the goods, allowed clearance, as assessed by the Customs, should be recorded by them on the Transit Certificates and CCPs before distribution. This information is essential for determining counter-exports to be made from India to Afghanistan for balancing of the trade.

20. *Method of valuation for Counter-exports to Afghanistan.*—The following will be the method of valuation of Afghan goods for determining the value of counter-exports to be made from India to Afghanistan during the current Trade Arrangement period:—

- (i) Afghan goods, whether imported on outright purchase or on consignment basis, should be valued on the basis of invoices accepted by Indian Customs or where no invoices exist, on the basis of the Indian Customs assessed value, as defined in Section 14 of the Indian Customs Act, 1962 (Act 52 of 1962);
- (ii) With regards to imports effected as outright purchases, the value of counter-exports should be equal to the value of imports as determined in the manner indicated in (i) above;
- (iii) To the extent imports take place on consignment basis, the sale proceeds of such goods after deducting all expenses, duties, and taxes will be allowed to be repatriated in the forms of goods covered by Schedule B to Annexure I.

21. *Manner of payment.*—Payments for goods exchanged under this arrangement and mentioned in Schedule A, excluding Hides & Skins, and Schedule B will be made, in accordance with the E.P. Procedures prescribed by the Reserve Bank of India. Payments for exports to Afghanistan for Indian Goods mentioned in Schedule C shall be made by establishing letters of Credit in transferable U.S. dollars or pound sterling.

22. *Bank facilities for exporters of Schedule C items.*—The Royal Afghan Government have agreed that letter of credit in U.S., dollars and transferable pound sterling will be opened by the Afghan Banks for import of Schedule 'C' items from India.

SCHEDULE 'A'

Commodities for Export from Afghanistan to India

Fruits (dry and fresh all kinds), Asafoetida,

Cumin Seeds, Hides and Skins, Medicinal herbs (detailed as under)

English

Farsi

Hysop

Zoofa

Rosa Rose Flower (dried)

Gule Golab

Buglass (Borage)

Gule Gawzaban

Ouince (Borage)

Beh-Danna

White and red (Behmen) (Urdu)

Behmane Safid wa Sorkh

Jujube

Onnab

Ratanjot (Hindi)

Yarland

Manna

Turanjabeen

Manna (taken from Atraphaxis

Sheer-Khest

Spinosa)

Liquoric (Mulathi)

Shireen Boia

Wild Carrot

Shakakul

DORONCUM

DARAWANJ

SCHEDULE 'B'

Commodities for Export from India to Afghanistan:—

Textile, Cotton and Woollen, such as:—

Cotton and Woollen piecegoods, cotton dhoties and sarees, hosiery and knitted garments—woollen, cotton and rayon.

Silk, art silk and rayon fabrics; cotton twist and yarn other than cotton, woollen and silk manufactures, Jute manufactures,

Handloom fabrics.

Food:—

Confectionery,

Tea, coffee, spices including pepper,

Fish—dried and salted,

Fish prawns—dried,

Preserved Mango and other vegetable products,

Provisions and oilman's stores,

Sago,

Tapioca and its products,

Cane jaggery, cane jaggery powder (Indian gur),

Agricultural Products:—

Hydrogenated oils, i.e., "Vanaspati" or vegetable ghee.

Vegetable oils and oilseeds,

Essential oils,

Tobacco—raw and unmanufactured.

Chemical Products and Soaps:—

Chemicals and chemical preparations.

Pharmaceuticals:—

Naphthalene,

Sera and Vaccines,

Alkaloids of Opium and its derivatives,

Soap—toilet and household,

Toilet requisites and perfumery,

Paints, Pigments and varnishes.

Engineering Goods :—

Printing machinery,

Diesel engines,

Pumps driven by diesel engines and electric motors,

Sewing machines,

Bicycles and their parts,

Textiles machinery such as carding machinery and weaving looms,

Machine tools,

Hand tools and small tools, small river crafts,

Sugarcane crushing machinery,

Rice, flours and oil crushing machinery,

Ball bearings,

Agricultural implements.

Automobile parts other than those sent as spares with automobiles,

Gliders.

Electrical Goods:—

Electrical appliances and accessories such as conduit pipes, switches, bells, holders, cut-outs, etc.,

Electrodes,

Electric bulbs and tubes,

Electric fans and their parts,

Batteries (dry and wet),

Electric torch lights,

Electric motors,

Ebonite sheets, rods and tubes, cables and wires.

Household and Building Requirements:—

Utensils including stainless steelware, cooking ranges, heaters, electric iron, toasters, kettles, etc., Household electrical fittings and fixtures,

Roofing tiles,

Bricks,

Linoleum,

Sanitaryware,

G.I. Pipes and fittings,

Manhole cover and plates,

Kerosene stoves,

Incandescent oil pressure lamps,

Safes, strong boxes and room fittings.

Crockery.

Hardware:—

Locks and padlocks.

Cutlery,

Bolts, nuts, screws and hinges, etc;

Steel furniture and hospital appliances,

Scientific instruments of all types,

Weighing machines,

Surgical and medical instruments.

Steel buckets.

Rubber Manufactures:—

Tyres and tubes,

Other rubber manufactures,

Leather Manufactures:—

Boots, shoes and belts,

Other leather manufactures,

Artificial leather goods.

Handicrafts and Cottage Industry Products:—

Stationary and paper.

Miscellaneous:—

Coir and coir products,

Films.

Dyeing and tanning substances,

Lac and shellac,

Commercial decorative plywood,

Myrobalan and myrobalan extracts,

Glassware including tableware, glass bottles and bangles,

Artificial porcelain tooth,
Synthetic stones,
Books and printed matter,
Cigarettes,
Postage stamps,
Refined mineral oils,
Bichromates,
Sports goods,
Mica and Micanite,
Firebricks and fireclay,
Ropes.

SCHEDULE 'C'

Indian Exports.

1. Sugar.
2. Automobiles and their spare parts.
3. Tractors.
4. Bulldozers.
5. Compressors.
6. Stone Crushing and Polishing equipment.
7. Wood working machinery.
8. Lathes.
9. Road Rollers.
10. Graders.
11. Central Airconditioning equipment.
12. Refrigerators.
13. Slaughter House Machinery.
14. Accounting Machines.
15. Iron and Steel Construction material not mentioned under the heading "Hardware" in Schedule 'B'.
16. Generators—portable and fixed.
17. Radio Receivers.
18. Telephone and telegraph Apparatus and Equipment.
19. Cranes.
20. Drugs, Medicines and Antibiotics.
All other items not included in Schedule 'B'.

ANNEXURE I

Specimen of Transit Certificate.

Royal Government of Afghanistan

Ministry of Commerce

India Department

Transit Certificate No.

Date 1968

Name of Exporter

Name of Importer

Period of Validity

Area	No.

No.	Commodity	Description	Number of case bundle etc	Quantity Kg.	Value per Kg.	Value Rs. Total	Remark

Signed by Customs House Officer.

I, Mr....., son of Mr..... holder of Trade permit No....., have completed the customs formalities and under the above goods will pass Peshawar or Chaman by Truck No..... driver Mr..... son of Mr..... within 72 hours and without any change or diminution in quantity. If not, I agree that my trade permit may be cancelled forth with and without any recourse on my part. Moreover, if the consignment does not arrive within five days of the proper customs house in India, and the Indian authorities do not release it, I will be responsible for any losses which occur.

Date of clearance from Indian Customs House.

Signature

R. J. REBELLO,
Chief Controller of Imports and Exports.

